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BACON&THOMAS

2009 FEB 13 AM 11:28

001/005

Submitted by Facsimile (571) 273-8300

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FEB 10 2009 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No.: 7,103,765

OFFICE OF PETITIONS

Issued: September 5, 2006

Atty Ref: CHEN4221/JEK

Serial No.: 10/002,652

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FEB 20 2009

Filed: October 19, 2001

OFFICE OF PETITIONS

Inventor: Ben Wei CHEN

Title: METHOD AND SYSTEM FOR PROVIDING A
MODULIZED SERVER ON BOARDSUBMISSION OF DUPLICATE COPY OF
PETITION TO EXCUSE ERROR IN PAYMENT OF ISSUE FEE
ON SMALL ENTITY BASISUnited States Patent & Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22313

Sir:

The undersigned Petitioner, attorney for Patentee, on May 7, 2008 submitted a Petition to Excuse Error in Payment of Issue Fee on a Small Entity Basis with regard to the above identified patent. A true copy of the original Petition and the receipt card date-stamped by the mail window of the U.S. PTO are attached, and a copy of Petitioner's cancelled check in the amount of \$740 is also attached.

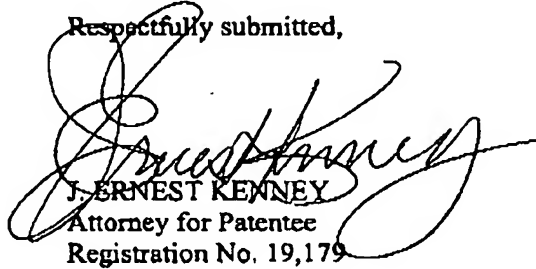
A telephone call today to the Office of Petitions revealed that the original Petition has been lost in the Office. Petitioner requests prompt action on the Petition in view of the delay resulting from the loss of the original Petition.

U.S. Patent No.: 7,103,765
Attorney Docket: CHEN4221/JEK

Any fee required in connection with this paper or the original paper, including any petition fee, may be charged to deposit account 02-0200 or any overpayment may be credited to this account.

Payor No. 000484
Customer No. 23364
BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, VA 22314-1176
Phone: (703) 683-0500
Facsimile: (703) 683-1080
Date: February 10, 2009

Respectfully submitted,



J. ERNEST KENNEY
Attorney for Patentee
Registration No. 19,179

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FEB 10 2009

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No.: 7,103,765

OFFICE OF PETITIONS

Granted: September 5, 2006

ATTY. REF.: CHEN4221

Serial No.: 10/002,652

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Filed: October 19, 2001

FEB 20 2009

Petition to Excuse Error in Payment of Issue Fee
on a Small Entity Basis under 37CFR§1.28

OFFICE OF PETITIONS

Commissioner For Patents

Sir:

The Issue Fee for the captioned patent was erroneously paid in good faith by a prior attorney for applicant in the belief that the then owner of the application continued to be a small entity at the time of payment. It has recently been discovered that the assignee of the patent application that matured as the patent was at the time a large entity.

Petitioner on behalf of the current patent owner requests that the erroneous failure to notify the Office of the change in entity status be excused and that the full make-up payment be accepted for the incorrectly paid issue fee, calculated as shown below.

The issue fee was paid on March 22, 2008 in the amount of \$700.00 as a small entity.

An issue fee for a large entity for a patent currently is \$1,140.00.

The difference between the fee paid and the fee now due is \$740.00.

A check in the amount of the difference is submitted herewith.

If the amount was miscalculated, any additional fee actually due may be charged to deposit account 02-0200 or any overpayment may be credited to this account.

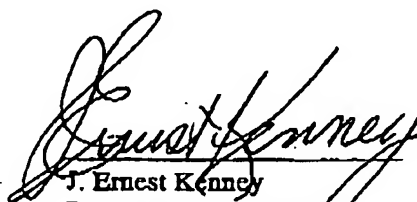
A statement of loss of entitlement to small entity status is submitted herewith in a separate paper signed by the current attorney of record for the patent owner.

Favorable disposition of this petition is respectfully requested.

Payor No. 000484Customer 23364

Bacon & Thomas, PLLC
625 Slaters Lane 4th Floor
Alexandria, VA 22314
703-683-0500

Respectfully Submitted,


J. Ernest Kenney
Registration No. 19,179
Attorney for patentee

GENERAL RECEIPT

Atty. Ref.:

CHEN4221

Bacon & Thomas - 625 Slaters Lane - 4th Floor - Alexandria, VA 22314

IN RE: PATENT NUMBER / GRANT DATE

7103765 - 9/5/2006

DELIVER TO:

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MAIL ROOM

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ART
UNIT

☐

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- PETITION TO EXCUSE ERROR IN PAYMENT OF ISSUE
FEE ON A SMALL ENTITY BASIS

Payment Transmittal and Check in the Amount of : \$740.00

FILED BY: LH

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FEB 20 2009

OFFICE OF PETITIONS



Print Selected Images

Page 1 of 1

Account	Serial Number	Date	Amount
2065202824409	56352	05/15/2008	\$740.00

Front Image

Back Image

Wachovia certifies that the above image(s) accurately represents the physical item from which it was produced.